

**EXHIBIT B**  
**TO THE DECLARATION OF DAVID H. KRAMER**

**Kramer, David**

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**From:** Kramer, David  
**Sent:** Thursday, July 20, 2006 2:42 PM  
**To:** Greg Yu  
**Subject:** Second Amended Complaint & Schedule

Greg:

Reading your comments to the press, it appears that you intend to file a Second Amended Complaint. From our briefs and comments at the hearing, it will come as no surprise that we do not believe that there would be merit to such a complaint. While I'm sure you are aware of your obligations under Rule 1/22/2006, please keep these obligations in mind as you set out your amended allegations. We had difficulty seeing how there was a good faith basis for some of the allegations Kinderstart made in the past.

In the meantime, please let me know when we can expect to receive your revised complaint so that we can discuss a briefing schedule that makes sense. While the Court's order did not set a deadline, it plainly does not expect you have an indefinite period of time in which to amend.

Thanks,

Dave Kramer  
650 320-4741